

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14868, of Oak Park Limited Partnership and the District of Columbia, pursuant to 11 DCMR 3108.1, for a special exception under Section 209 to allow the construction of a swimming pool and bathhouse for an apartment complex in an R-5-A District at premises 133-141 Ivanhoe Street, S.W., (Square 6271, Lots 13 and 14); and

HEARING DATE: September 28, 1988

DECISION DATE: September 28, 1989 (Bench Decision)

DISPOSITION: The Board GRANTED the application by a vote of 5-0 (John G. Parsons, Paula Jewell, William F. McIntosh, Charles R. Norris and Carrie L. Thornhill to grant).

FINAL DATE OF ORDER: October 18, 1988

ORDER

The Board granted the application by its order dated October 18, 1988. On April 18, 1989, counsel for the applicant filed a request for modification of the plans originally approved by the Board. The Board waived the requirements of Section 3335.3 of its Rules to accept the request for modification of plans more than six months after the final date of its written order.

The request for modification of plans is necessitated by the applicant's inability to complete the project as originally designed within its available budget constraints. The proposed revisions would result in the following changes to the originally approved plans:

1. Simplification of the shape of the pool to reduce the cost of concrete work.
2. Construction of a separate toddler pool.
3. Installing a shingle bathhouse roof instead of a metal roof with standing seams.
4. Reducing the overall footprint of the bathhouse by eliminating mechanical and storage wings and placing that space in the center of the building.
5. Reducing the size of the changing rooms.

6. Reducing the height of the building by approximately four feet.
7. Using contrasting brick detailing instead of limestone detailing.

There was no opposition to the proposed modification of plans.

Upon consideration of the proposed modified plans and its final order, the Board concludes that the proposed modification of plans is minor in nature and does not substantially alter the size, shape and configuration of the project as initially approved. The applicant requires no additional zoning relief from the Board. The material facts relied upon by the Board in approving the application are still relevant. There was no opposition to the modification of plans. It is therefore ORDERED that the proposed modification of plans is APPROVED subject to the condition that the construction shall be in accordance with the plans marked as Exhibit No. 31A of the record. In all other respects the Order of the Board, dated October 18, 1988, shall remain in full force and effect.

DECISION DATE: June 7, 1989.

VOTE: 5-0 (Paula Jewell, Charles R. Norris, William F. McIntosh, and Carrie L. Thornhill to approve; John G. Parsons to approve by proxy).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: JUN 30 1989

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

14868order/BHS6

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 14868

As Acting Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated JUN 30 1989, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Michael Caine, Esquire
Linowes & Blocher
655 15th St, N.W., Ste. 400
D.C. 20005

O.V. Johnson, Chairperson
Advisory Neighborhood Commission 8-D
153 Galveston Place, S.W.,
Washington, D. C. 20032

Councilmember Wilhelmina Rolark
Council of the District of Columbia
Ward 8
District Building, First Floor

Thomas P. Gallagher
1350 Beverly Road, #108
McLean, VA 22101

A handwritten signature in black ink, appearing to be "E. L. Curry", written over a horizontal line.

EDWARD L. CURRY
Executive Director

DATE: JUN 30 1989